

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VIVIAN R. HAYS, et al.,

Plaintiffs,

No. C 10-05336 JSW

v.

COMMONWEALTH LAND TITLE
INSURANCE COMPANY, et al,

Defendants.

**ORDER REQUIRING FURTHER
FILINGS**

The Court has reviewed and considered the parties papers in support of the motion for preliminary approval of class action settlement. Although Plaintiffs represent that the Notice of Settlement is attached as Exhibit 1 to proposed preliminary approval order, the proposed notice was not attached. Plaintiffs shall file the proposed notice by no later than 9:30 a.m. on July 5, 2012.

Moreover, the Court notes that Plaintiffs propose to mail notices to the last known address of the purported class, but do not have any stated plan for providing notices for whom the addresses are no longer valid. By no later than 9:30 a.m. on July 5, 2012, Plaintiffs shall file a declaration attesting to their plan for providing prompt notice to class members whose last known addresses are no longer valid or ascertainable. Alternatively, Plaintiffs may file a declaration stating, under penalty of perjury, that they have good reason to believe that they have current and valid addresses for all class members.

1 The Court FURTHER ORDERS that Plaintiffs shall file an amended proposed order
2 granting preliminary approval with the following changes:

- 3 (1) the final fairness hearing shall be held on November 2, 2012;
- 4 (2) the Notice shall be mailed to the Settlement Class on or before July 16, 2012;
- 5 (3) the deadline for requesting exclusion from the Settlement Class or for filing
6 objections shall be September 2, 2012; and
- 7 (4) the deadline for filing a motion for payment of reasonable attorneys' fees and
8 reimbursement of litigation costs and the deadline for settlement class
9 representatives to file their motion for payment of incentive fees shall be sixty
10 days prior to the final fairness hearing.

11 **IT IS SO ORDERED.**

12
13 Dated: July 3, 2012



JEFFREY B. WHITE
UNITED STATES DISTRICT JUDGE